

JAP:DMP

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**12M594**

- - - - -X

UNITED STATES OF AMERICA

- against -

LAWRENCE JOHNSON,

Defendant.

COMPLAINT AND AFFIDAVIT  
IN SUPPORT OF APPLICATION  
FOR ARREST WARRANT

(T. 18, U.S.C.  
§ 922(g)(1))

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EASTERN DISTRICT OF NEW YORK, SS:

RAY MARTINEZ, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), Gun Enhancement Unit, duly appointed according to law and acting as such.

Upon information and belief, on or about June 17, 2012, within the Eastern District of New York, the defendant LAWRENCE JOHNSON, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Helwan 9 mm semi-automatic pistol.

(Title 18, United States Code, Section 922(g)(1)).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. I have been a Detective with the NYPD Gun Enhancement Unit since 2005. My information in this case comes from reviews of records of the NYPD, conversations with NYPD officers, and other official records of government agencies.

2. On or about June 17, 2012, at approximately 1:55 a.m., NYPD Lieutenant Christopher Devaney was driving an unmarked police car on Howard Avenue in Brooklyn, New York. Police Officer Chris Mastoros was riding in the front passenger seat and Police Officer Oliver Balena was riding in the back seat. Lieutenant Devaney and Officers Mastoros and Balena (collectively, the "NYPD Officers") spotted two individuals riding their bicycles on a public sidewalk on Howard Avenue in between Park Place and Sterling Place. Lieutenant Devaney made a U-turn, and activated the car's lights and sirens.

3. The NYPD Officers pulled up alongside the two individuals riding their bicycles on the sidewalk, one of whom was the defendant LAWRENCE JOHNSON. Officer Mastoros yelled to the individuals that they were police officers and to stop riding their bicycles. One of the individuals slowed down. The

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<sup>1/</sup> Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the facts and circumstances of which I am aware.

defendant LAWRENCE JOHNSON kept riding quickly, and turned on to St. John's Place. When the other individual went in a different direction, the NYPD Officers continued to follow JOHNSON, repeatedly stating that they were police officers and asking him to stop his bicycle.

4. When the defendant LAWRENCE JOHNSON reached the intersection of St. John's Place and East New York Avenue, his bicycle hit the curb and he fell off the bicycle over the handlebars. JOHNSON then took off running on foot. Lieutenant Devaney stopped the car, and Officers Mastoros and Balena gave pursuit.

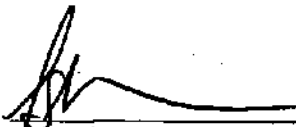
5. Officer Balena reached the defendant LAWRENCE JOHNSON first and restrained him. While the defendant JOHNSON was on the ground, Officer Mastoros began patting him down and felt a gun in the pocket of the defendant's cargo shorts. Officer Mastoros then recovered a Helwan 9 mm semi-automatic pistol with one round in the chamber and two rounds in the magazine.

6. The defendant LAWRENCE JOHNSON is currently being held in state custody. I have reviewed criminal history records for the defendant, which reveal that on September 28, 2010, the defendant was convicted in Kings County Supreme Court of Attempted Criminal Possession of a Weapon in the Second Degree:

Loaded Firearm, a Class D felony. The defendant was sentenced to two years in prison. He was released on December 9, 2011 and remains on parole.

7. I have consulted with an Alcohol, Tobacco, Firearms and Explosives interstate nexus expert, who informs me that the above-mentioned Helwan 9 mm semi-automatic pistol was manufactured outside the State of New York.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant LAWRENCE JOHNSON so that he may be dealt with according to law.

  
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RAY MARTINEZ  
Detective, NYPD

Sworn to before me this  
21st Day of June, 2012

THE HONORABLE MARILYN D. GO  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK